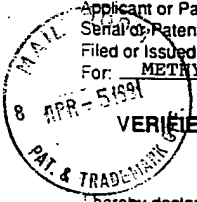


1/3/91



Applicant or Patentee: Chris Buhr et al Attorney  
Serial or Patent No.: 07/652,978 Docket No.: 4610-0027  
Filed or issued: 8 Feb. 1991  
For: METHYLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND NUCLEOSIDES

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Gilead Sciences, Inc.  
ADDRESS OF CONCERN 344 Lakeside Drive, Foster City, CA 94404

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHYLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND NUCLEOSIDES by inventor(s) Chris Buhr, Mark Matteucci, Norbert W. Bischofberger, Brian Froehler described in

- ☐ the specification filed herewith  
☒ application serial no. 07/652,978, filed 8 Feb. 1991  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or by a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may render invalid the validity of the application, any patent issuing thereon, or any patent to which this verified

G. Michael R. Jordan  
MAN OWNER President  
344 Lakeside Drive, Foster City, CA 94404  
[Signature] DATE 2/18/91

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney Docket No.

4610-0027



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

ENTITLED: METHYLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND  
NUCLEOSIDES

the specification of which:

(check one) ☐ is attached hereto;  
☒ was filed on 8 February 1991 as

Application Serial No. 07/652,978

and was amended on \_\_\_\_\_ ;  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.";

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

# COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney Docket No.

4610-0027

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			Yes ___ No ___
			Yes ___ No ___

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

*301*  
 William M. Benz-Reg. No. 25,952  
 Karl Bozicevic-Reg. No. 28,807  
 Thomas E. Clotti-Reg. No. 21,013  
 David S. Dolberg-Reg. No. 34,469  
 Kenneth M. Goldman-Reg. No. 34,174  
 Ronald S. Laurie-Reg. No. 25,431

Gladys H. Monroy-Reg. No. 32,430  
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 Roberta L. Robins-Reg. No. 33,208  
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and:

Address all correspondence to:

*601* IRELL & MANELLA *701*  
*602* 545 Middlefield Road, Suite 200  
*702* Menlo Park, California 94025-3471

Address all telephone calls to: Kate H. Murashige at 415-327-7250.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<i>401</i>	00	FULL NAME OF SOLE OR FIRST INVENTOR <u>CHRIS BUHR</u>	SIGNATURE <i>Chris A. Buhr</i>	DATE <i>2/28/91</i>
		RESIDENCE 870 Campus Drive, #303, <u>Daly City</u> , CA 94015	CITIZENSHIP U.S.A.	
		POST OFFICE ADDRESS Same as above	<i>CA</i>	
<i>402</i>	00	FULL NAME OF SECOND JOINT INVENTOR, IF ANY <u>MARK MATTEUCCI</u>	SIGNATURE <i>[Signature]</i>	DATE <i>2/28/91</i>
		RESIDENCE 1524 Columbus Avenue, <u>Burlingame</u> , CA 94010	CITIZENSHIP U.S.A.	
		POST OFFICE ADDRESS Same as above	<i>CA</i>	
<i>403</i>	00	FULL NAME OF THIRD JOINT INVENTOR, IF ANY <u>NORBERT W. BISCHOFBERGER</u>	SIGNATURE <i>Norbert Bischofberger</i>	DATE <i>3-20-91</i>
		RESIDENCE 1116 Cedar Street, <u>San Carlos</u> , CA 94070	CITIZENSHIP U.S.A.	
		POST OFFICE ADDRESS Same as above	<i>CA</i>	
<i>404</i>	00	FULL NAME OF FOURTH JOINT INVENTOR, IF ANY <u>BRIAN FROEHLER</u>	SIGNATURE <i>[Signature]</i>	DATE <i>3/20/91</i>
		RESIDENCE 2310 Monserat Avenue, <u>Belmont</u> , CA 94002	CITIZENSHIP U.S.A.	
		POST OFFICE ADDRESS Same as above	<i>CA</i>	

☐ Please see attached continuation page for additional inventors